

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BARBARA J. FRIED and MARK FRIED; :  
ALTITUDE PARTNERS, LLC; RICHARD :  
D. MALTZMAN, AS TRUSTEE FOR THE :  
RICHARD D. & CHARLENE :  
MALTZMAN FAMILY TRUST U/A/D :  
3/23/88; JEFFOREED PARTNERS, L.P.; :  
JEFFOREED MANAGEMENT :  
COMPANY, INC.; and ZELFAM, LLC, on :  
behalf of limited partners listed on Annex :  
A. : **No. 09 Civ. 9100 (BSJ)**  
Plaintiffs, :  
- vs - :  
LEHMAN BROTHERS REAL ESTATE :  
ASSOCIATES III, L.P.; LEHMAN :  
BROTHERS PRIVATE EQUITY :  
ADVISORS, LLC; REAL ESTATE :  
PRIVATE EQUITY, INC.; MARK A. :  
WALSH; MARK H. NEWMAN; BRETT :  
BOSSUNG; MICHAEL J. ODRICH; :  
CHRISTOPHER M. O'MEARA; :  
RICHARD S. FULD, JR.; JOSEPH M. :  
GREGORY; ERIN CALLAN; IAN :  
LOWITT; THOMAS RUSSO; AND DOES :  
1 through 50, :  
Defendants. :  
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**NOTICE OF APPEARANCE**

TO THE CLERK OF THE COURT AND ALL PARTIES OF RECORD:

PLEASE TAKE NOTICE that Patricia M. Hynes of Allen & Overy LLP, a member of this Court in good standing, hereby enters an appearance as counsel for defendant Richard S. Fuld, Jr. in the above-captioned action and respectfully requests that all pleadings, notices, orders, correspondence and other papers in connection with this action be served on the undersigned.

Dated: New York, New York  
January 8, 2010

Respectfully submitted,

ALLEN & OVERY LLP

By: /s/ Patricia M. Hynes

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*Attorneys for Defendant Richard S. Fuld, Jr.*